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December 21, 2022

Honorable James R. Cho
Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Adel Hussain v. Avenue J Florist LLC, et al
22 cv 4718 (CBA)

Dear Judge Cho:

I am the attorney for the Defendants in this action.

On September 28, 2022, Your Honor issued a Mediation Referral Order (Docket No. 14) with respect to this case. In connection with this Order, the parties recently (on December 8, 2022) selected a mediator, Michael Levy, to mediate this case. The parties agreed to have the mediation session on December 26, 2022.

By this letter, I am respectfully requesting that the Court either withdraw the mediation referral, because we strongly believe that the case lacks merit, or adjourn to deadline for the mediation session to late January or to February, 2023.

I am moving from my house to another house and, I learned just yesterday, that the only available date the mover has this month is this coming Monday, December 26. If I do not move on that day, my move will be delayed for several weeks because I will be out of the country from January 5 through January 17 and the mover has no other date to move us before January 18, 2023..

In addition, we believe that this case is entirely devoid of merit and my client is not ready to offer anything to settle the case and that it is unlikely that the mediation will accomplish anything at this stage of the litigation.

Therefore, we respectfully request that the Court should withdraw the mediation referral. My adversary is not taking any position regarding this request. However, should the Court rule that the mediation must go forward, we respectfully request that the mediation be adjourned to late January or to February, 2023.

Thank you for your consideration.

Respectfully,

A handwritten signature in dark ink, appearing to read "Bernard Weinreb", written in a cursive style.

Bernard Weinreb

Cc: Jason Mizrahi, Esq